

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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AMERICAN CIVIL LIBERTIES UNION; :
AMERICAN BOOKSELLERS FOUNDATION FOR :
FREE EXPRESSION; ANDROGYNY BOOKS, INC. : Civil Action
d/b/a A DIFFERENT LIGHT BOOKSTORES; : No. 98-CV-5591
ADDAZI, INC. d/b/a CONDOMANIA; :
HEATHER CORINNA; ELECTRONIC FRONTIER :
FOUNDATION; ELECTRONIC PRIVACY :
INFORMATION CENTER; FREE SPEECH MEDIA; :
NERVE.COM, INC.; AARON PECKHAM d/b/a URBAN :
DICTIONARY; PHILADELPHIA GAY NEWS; :
PLANETOUT, INC.; POWELL'S BOOKSTORES; :
PUBLIC COMMUNICATORS, INC.; SALON :
MEDIA GROUP, INC; DAN SAVAGE; :
and SEXUAL HEALTH NETWORK; :
Plaintiffs, :
v. :
JOHN ASHCROFT, in his official capacity as :
ATTORNEY GENERAL OF THE UNITED STATES, :
Defendant. :
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**PLAINTIFFS' MOTION FOR LEAVE TO FILE THE AMENDED
COMPLAINT**

Pursuant to Rule 15 of the Federal Rules of Civil Procedure, plaintiffs bring this Motion for Leave to File the Amended Complaint in the above-captioned matter. Through this Motion, plaintiffs are seeking to revise the Complaint, which was originally filed in 1998, to remove certain plaintiffs, add additional plaintiffs, and update the factual allegations in the Complaint. The proposed Amended Complaint is attached hereto. This

Motion is brought on the ground that none of the factors justifying denial of a motion for leave to amend a complaint are present in this action.

For these reasons, and for the reasons set out more fully in the Memorandum of Law in Support of this Motion, filed contemporaneously with this Motion, plaintiffs request that this Motion be granted, and that they be permitted to file the Amended Complaint.

Respectfully submitted,

Dated: December 9, 2004

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